

PREFACE

This study of the legal situation of Central American refugees in Mexico is a joint project of the Mexico-United States Law Institute of the University of San Diego in San Diego, California, and the Instituto de Investigaciones Jurídicas of the Universidad Nacional Autónoma de México in Mexico City.

This project was undertaken because of its importance both in Mexico and the United States. In recent years, Mexico has received massive influxes of Central Americans fleeing their violence-stricken countries. Many thousands of these Central Americans remain in Mexico. Moreover, most Central Americans in the United States are thought to have passed through Mexico. Hundreds of thousands of other Central Americans are displaced within their countries or in refugee camps in the region.

Mexico is ill-equipped to deal with these massive flows because of the absence of adequate domestic legislation, its failure to sign international agreements related to refugees, and its current economic situation. At the same time, the United States government has used the passage of Central Americans through Mexico as a basis for denying political asylum in the United States, claiming that Mexico is a "safe haven" for refugees or that their time in Mexico constitutes resettlement.

What happens to Central Americans in Mexico has serious implications for the countries and the people involved. Despite this, little information has been available about the level of security that Central Americans can find in Mexico — information that is basic for the development of comprehensive policies in either Mexico or the United States. The authors hope that this study will provide data for the development of such policies. Furthermore, because the situation faced by Mexico is not unique, the issues discussed here will be relevant to refugee situations in other parts of the world.

Part 1, written by Jesús Rodríguez y Rodríguez, will discuss the Mexican, regional, and international legal provisions concerning refugees. Part 2, written by Joan Friedland, will discuss the practical treatment of Central Americans in Mexico. The introduction and conclusion were written jointly by the authors.

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The viewpoints expressed in this study are solely those of the authors and do not reflect the opinions of the sponsoring institutions.

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